

10-13-06

JFM



Docket No.: 59660(300541)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Barb A. Cohen et al.

Application No.: 10/723,268

Confirmation No.: 8759

Filed: November 26, 2003

Art Unit: 1651

For: METHOD FOR SEX BIASING
SPERMATOZOA

Examiner: Tiffany Maureen Gough

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the restriction requirement set forth in the Office Action mailed September 11, 2006, Applicants are required to elect one of the following inventions of the claimed invention:

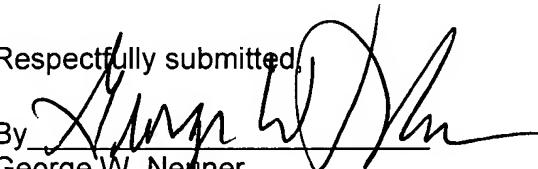
- I. Claims 1-2, drawn to a method for treating a semen specimen at a specified temperature;
- II. Claims 3-10, drawn to a method for treating sperm cells by separating semen;
- III. Claims 11-20, drawn to a method for increasing the probability of producing offspring of a desired sex;
- IV. Claims 21-27, 32-44, 49-53, 58-59 drawn to a method for separating a selected population of cells from, semen samples;
- V. Claims 28-31, 45-48, 54-57 drawn to a method of insemination; and
- VI. Claims 60-95, drawn to methods of treating sperm sample to increase the probability of producing a desired offspring.

Applicants hereby elect the invention of Group VI, claims 60-95, with traverse, for further examination in the present application. Applicants respectfully submit that all groups of claims are directed to substantially the same technical features and have unity of invention. For example, even the examiners description shows Groups I, II and VI are drawn to methods for treating semen. Thus, all claims should be examined together.

An early examination and notice of allowance are earnestly solicited.

Dated: 11 Oct '06

Respectfully submitted,

By 
George W. Neiner

Registration No.: 26,964
EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(617) 517-5538
Attorneys/Agents For Applicant



OCT 11 2006

Application No. (if known): 10/723,268

Attorney Docket No.: 59660(300541)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 894055991 US in an envelope addressed to:

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on 10/11/06
Date

Helen Murray Tarbi
Signature

Helen Murray Tarbi

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Restriction Requirement (with Traverse)